

## Article - Criminal Law

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§10-403.

(a) This section does not apply to:

(1) a person acting in the course of medical, archaeological, educational, or scientific study;

(2) a licensed mortician or other professional who transports human remains in the course of carrying out professional duties; or

(3) a person acting under the authority of:

(i) § 10-402 of this subtitle; or

(ii) § 4-215 or § 5-408 of the Health - General Article.

(b) A person may not knowingly sell, buy, or transport for sale or profit, or offer to buy, sell, or transport for sale or profit:

(1) unlawfully removed human remains; or

(2) an associated funerary object obtained in violation of § 10-404 of this subtitle.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$5,000 or both.

(d) The Maryland Historical Trust may appropriate all human remains and associated funerary objects obtained in violation of this subtitle for management, care, and administration until a determination of final disposition as provided by law.

(e) This section may not be construed to interfere with the normal operation and maintenance of a cemetery including:

(1) correction of improper burial siting; and

(2) moving the human remains within a cemetery with the consent of a person who qualifies as an heir as defined in § 1-101 of the Estates and Trusts Article.

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